
EXHIBIT 5

From: [Halima Shukri Ndai](#)
To: [Ari Rafilson](#); [Koballa, Kasey](#); [Goldstucker, Richard](#)
Cc: [Joseph W. Micheli](#); [Shah, Mansi](#); [Steven Moore](#); [Paige Amstutz](#); [Mark Siegmund](#); [Will Ellerman](#)
Subject: RE: VideoShare v. Facebook - Source Code
Date: Tuesday, March 15, 2022 10:42:00 AM
Attachments: [image001.png](#)

Richard & Kasey,

Based on the volume of code that has been produced for inspection (*i.e., more than 2.6 million files*, which you hinted at below), our expert again immediately requests additional documentation, including all documents that Meta makes available to its developers and engineers, the wiki pages for all accused instrumentalities, *etc.*—it is unreasonable to expect our expert to navigate the entire Meta codebase without any indication of how the code is structured or indeed any signposting whatsoever. We have been asking for this documentation for weeks now and our expert has no time for Meta’s needle in the haystack antics.

Additionally, please immediately install the following VSCode extensions onto the source code computer, which are currently missing:

- [Python](#)
- [C/C++](#)
- [Java](#)
- [PHP](#)
- [Hack](#)

Best,
Halima Shukri

From: Ari Rafilson <arafilson@shorechan.com>
Sent: Friday, March 11, 2022 3:16 PM
To: Koballa, Kasey <KKoballa@kilpatricktownsend.com>; Goldstucker, Richard <RGoldstucker@kilpatricktownsend.com>
Cc: Halima Shukri Ndai <hndai@shorechan.com>; Joseph W. Micheli <jmicheli@shorechan.com>; Shah, Mansi <MShah@kilpatricktownsend.com>; Steven Moore <smoore@kilpatricktownsend.com>; Paige Amstutz <pamstutz@scottdoug.com>; Mark Siegmund <mark@swclaw.com>; Will Ellerman <wellerman@shorechan.com>
Subject: RE: VideoShare v. Facebook - Source Code

Kasey,

In addition, if there are any readme files or other documentation that are stored in the native directory structure along with the source code, please ensure that such files or documentation are provided for Dr. Sarhan’s inspection as well.

Best Regards,

Ari

From: Goldstucker, Richard <RGoldstucker@kilpatricktownsend.com>

Sent: Thursday, March 10, 2022 11:57 AM

To: Ari Rafilson <arafilson@shorechan.com>

Cc: Will Ellerman <wellerman@shorechan.com>; Halima Shukri Ndai <hndai@shorechan.com>; Joseph W. Micheli <jmicheli@shorechan.com>; Koballa, Kasey <KKoballa@kilpatricktownsend.com>; Shah, Mansi <MHShah@kilpatricktownsend.com>; Steven Moore <smoore@kilpatricktownsend.com>; Paige Amstutz <pamstutz@scottdoug.com>; Mark Siegmund <mark@swclaw.com>

Subject: RE: VideoShare v. Facebook - Source Code

CAUTION: External Email!

Ari: Thanks for the response. I will address your questions below:

1. Regarding the Source Code, the source code reviewer is able to access all versions of the code in the relevant time period using [REDACTED] which is already installed on the source code computer for the reviewer. Therefore, the reviewer can see the multiple versions (i.e. version history). Given this, there is no need to stipulate to a representative version.
2. Regarding file directory structure, it is clear in the source code what directories and files are related to. Facebook and Instagram (subject to our objections and forthcoming motion to strike) are contained in two directory folders entitled [REDACTED]."
Given the volume of the code, however, we do not think it is efficient or relevant to provide a printout of the full directory structure of the source code being provided in advance of the review session. To the extent VideoShare requests printouts of specific relevant directories, it can request those printouts as per the Protective Order during the review.

Separately, we have installed Visual Studio on the source code computer per the expert's request.

Thanks.

-Richard

Richard Goldstucker

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From: Ari Rafilson <arafilson@shorechan.com>

Sent: Wednesday, March 9, 2022 12:22 PM

To: Goldstucker, Richard <RGoldstucker@kilpatricktownsend.com>

Cc: Will Ellerman <wellerman@shorechan.com>; Halima Shukri Ndai <hndai@shorechan.com>; Joseph W. Micheli <jmicheli@shorechan.com>; Koballa, Kasey <KKoballa@kilpatricktownsend.com>; Shah, Mansi <MHShah@kilpatricktownsend.com>; Moore, Steve <smoore@kilpatricktownsend.com>; Paige Amstutz <pamstutz@scottdoug.com>; Mark Siegmund

<mark@swclaw.com>

Subject: VideoShare v. Facebook - Source Code

Richard,

Following up on our discussion today, we understand that Facebook is making source code available for accused versions of Facebook and Instagram, and that the code is from June or July of 2020. Since the damages period is from July 23, 2019 through February 3, 2020, in order to minimize the burden on the parties, is Facebook willing to stipulate that the code it is producing is representative—with respect to the accused functionality—of its code for the entire damages period? This stipulation would help streamline the case and is similar to cases in which parties agree to representative products.

Further, to the extent that it is not clear on its face which directory structure relates to which accused instrumentality, we request that Facebook advise as to which high-level directories relate to which accused instrumentality. We also request that Facebook provide us with the full directory structure in advance of the review session on Monday.

Best Regards,

Ari Rafilson

Partner

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